REMARKS

Claims 11-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kagawa et al. (US 6,265,034) in view of Sekine et al. (US 6,313,894), and claim 22 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kagawa et al. in view of Sekine et al. and Hiji et al. (US 5,872,609). Applicant respectfully traverses these rejections as being based upon combinations of references that neither teach nor suggest the novel combination of features recited in independent claim 11, and hence dependent claims 12-18 and 22.

The Office Action alleges that "[b]ecause Kagawa teaches and discloses both a liquid crystal material having a photo-reactive material and UV light irradiation over the cell surface, then, at least, the photo-reactive material is aligned." Moreover, the Office Action alleges (Response to Arguments) that since Applicant's instant specification discloses steps of UV irradiation of a liquid crystal material having a photo-reactive polymer, then the liquid crystal material disclosed by Kagawa et al. is also aligned. Applicant respectfully disagrees.

Kagawa et al. explicitly teaches suppressing photo-reaction of photo-reactive liquid crystal compounds contained in a liquid crystal layer. Specifically, Kagawa et al. discloses (col. 12, lines 19-24) decreasing non-uniformity of display around an inlet of a liquid crystal display element by adding a photo-absorption agent to the liquid crystal mixture in order to suppress the photo-reaction of the photo-reactive liquid crystal material. Thus, Applicant respectfully asserts that simply because Kawaga et al. teaches irradiating liquid crystal material having a photo-reactive material the reference neither anticipates nor makes obvious Applicant's claimed invention.

In other words, the process disclosed by Kagawa et al. of irradiating UV light onto a liquid crystal material having a photo-reactive material fails to teach or suggest anything with regard to a liquid crystal material layer "having an aligned photo-reactant material." In fact, Kagawa et al. explicitly teaches suppressing photo-reaction of a photo-reactive liquid crystal material using a photo-absorption agent, and makes absolutely no mention of aligning photo-reactant material. Accordingly, Applicant respectfully asserts that the process disclosed by Kagawa et al. is completely non-analogous to Applicant's disclosure. For example, Kagawa et al. is directed toward suppression of photo-reactance within a liquid crystal material, whereas Applicant's instant specification is directed toward alignment of a photo-reactant material.

Furthermore, Applicant respectfully asserts that both Sekine et al. and Hiji et al. are both completely silent with respect to a liquid crystal material layer having an aligned photo-reactant material. Accordingly, neither Sekine et al. or Hiji et al. can remedy the deficiencies of Kagawa et al.

For the above reasons, Applicant respectfully asserts that the rejections under 35 U.S.C. § 103(a) should be withdrawn because Kawaga et al., Sekine et al., and Hiji et al., whether taken individually or in combination, neither teach nor suggest the novel combination of features clearly recited in independent claim 11, and hence dependent claims 12-18 and 22.

The Office Action states that "Applicant has not argued the rejection of dependent claims 12-18 and is thus considered to have acquiesed to the rejection of claims 12-18." The Office Action is mistaken, and Applicant does not and did not acquiese to the rejection of claims 12-18.

In the Amendment filed July 7, 2004, Applicant explicitly traversed the rejection of claims 12-18. See page 4 (¶5); pages 4-5 (¶¶ 6, 7).

CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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Dated: December 8, 2004

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